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15 *Attorneys for Plaintiffs*

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF ARIZONA

18 Leslie Feldman; Luz Magallanes; Mercedes  
19 Hymes; Julio Morera; Alejandra Ruiz; Cleo  
Ovalle; Marcia Baker; Former Chairman and  
20 First President of the Navajo Nation Peterson  
Zah; Democratic National Committee; DSCC  
21 a.k.a. Democratic Senatorial Campaign  
Committee; Arizona Democratic Party;  
22 Kirkpatrick for U.S. Senate; and Hillary for  
America,  
23

24 Plaintiffs,

25 v.

26 Arizona Secretary of State's Office; Michele  
Reagan, in her official capacity as Secretary of  
27 State of Arizona; Maricopa County Board of  
Supervisors; Denny Barney, in his official  
28 capacity as a member of the Maricopa County  
Board of Supervisors; Steve Chucri, in his

No. CV-16-01065-PHX-DLR

**DECLARATION OF PLAINTIFF  
LUZ MAGALLANES IN  
SUPPORT OF PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

1 official capacity as a member of the Maricopa  
2 County Board of Supervisors; Andy Kunasek,  
3 in his official capacity as a member of the  
4 Maricopa County Board of Supervisors; Clint  
5 Hickman, in his official capacity as a member  
6 of the Maricopa County Board of Supervisors;  
7 Steve Gallardo, in his official capacity as a  
8 member of the Maricopa County Board of  
Supervisors; Maricopa County Recorder and  
Elections Department; Helen Purcell, in her  
official capacity as Maricopa County  
Recorder; Karen Osborne, in her official  
capacity as Maricopa County Elections  
Director; and Mark Brnovich, in his official  
capacity as Arizona Attorney General,

9 Defendants.

10  
11 Pursuant to 20 U.S.C. § 1746, I, Luz Magallanes, declare as follows:

12 1. My name is Luz ("Lucy") Magallanes. I am over the age of 18, have  
13 personal knowledge of the facts stated in this declaration, and can competently testify to  
14 their truth.

15 2. I am a Plaintiff in *Feldman, et al. v. Arizona Secretary of State's Office, et*  
16 *al.*, Case No. CV-16-01065-PHX-DLR, currently pending in this Court.

17 3. I am a U.S. Citizen, a resident of Chandler, Arizona, and am otherwise  
18 eligible and registered to vote in Maricopa County, Arizona. I am Hispanic.

19 4. I am a regular voter and I am registered as a Democrat. I consider it my  
20 civic duty to vote. I have voted regularly ever since I was 18 years old. As an American  
21 citizen, I feel it is crucial to have my voice be heard.

22 5. I am a school teacher. When I vote, I prefer voting in person because I like  
23 to be able to share my voting experience with my students on Election Day. My students  
24 always ask me about my "I Voted" sticker and I think it's important for them to see and  
25 hear about active civic participation. Voting in person is also important to me because I  
26 know that my vote is counted.

27 6. On March 22, 2016, I voted in person in the presidential preference election,  
28 but only after expending exceptional effort to do so.

1           7.     I made two separate attempts to vote in the presidential preference election.  
2     First, I tried to vote early in the morning before work. In addition to wanting to be sure  
3     that I could say to my students that I had voted, I also had to work at the school's after-  
4     school program that day so I wanted to be sure that I was able to vote and was concerned  
5     that if I waited until after school I would not make it to a voting center before the polls  
6     closed. I arrived at the American Legion vote center at 2240 W. Chandler Boulevard  
7     around 6:30 a.m., which was the vote center closest to my house according to the sample  
8     ballot I received in the mail from Maricopa County a few weeks before the election. I had  
9     never voted there before, but it was about a ten-minute drive from my house. I was  
10    surprised to see that the line was too long to allow me to get to work on time. It was  
11    already outside the building and was almost to the corner. I was disappointed that I  
12    wouldn't be able to tell my students that I had already voted that day, but I could not be  
13    late to work, so I had no choice but to forego voting until the evening.

14           8.     After finishing up with the afterschool program at work, I returned again to  
15    the same vote center. I arrived at approximately 6:10 p.m. and waited in line for nearly  
16    five hours in order to cast my vote. I did not cast my vote and leave the vote center until  
17    approximately 10:50 p.m.

18           9.     During my time in line, no poll worker ever communicated that there may  
19    be shorter lines at other nearby vote centers. Those of us in line, including myself, simply  
20    assumed that the election was experiencing historic levels of voter turnout. I had no idea  
21    that the lines weren't long at every polling location, and that I may have been able to drive  
22    to another vote center with fewer voters. It wasn't until after the election that I found out  
23    that the problem was insufficient polling locations, not an enormous increase in the  
24    number of voters.

25           10.    I felt lucky to be physically able to wait in line. I felt bad for those around  
26    me who were not. Some elderly voters and those with babies were able to go to the front  
27    of the line. I saw others on crutches or in wheelchairs waiting in line.  
28

1           11. I was resolute that I would stay to cast my vote. I feel that it is my civic duty  
2 to vote, and I do not feel that I have fully earned the right to participate in my government  
3 unless I have voted. I felt terrible for other voters who feel the same way that I do, but  
4 were nonetheless ultimately unable to cast a vote because they simply could not spend  
5 hours waiting.

6           12. Many of my work colleagues had the same experience that I did, and some  
7 were completely unable to vote. As a result, together we felt that we had to ask our school  
8 administration to put in writing that the school would not hold after-school programs on  
9 election day in the event that lines like this occur again. This would allow us to leave  
10 with, hopefully, enough time to stand in lines to vote. None of us felt confident enough in  
11 Maricopa County or Arizona's election system to trust that this would not occur again in  
12 the future. In fact, it is because we fear that it will occur again that we sought this type of  
13 accommodation from our school.

14           13. While I was eventually able to cast my vote, I was severely burdened by the  
15 long lines at my polling location and Maricopa County's overall mismanagement of the  
16 election, including specifically their failure to allocate a sufficient number of polling  
17 locations to reasonably accommodate voters like myself.

18           14. My experience voting in the 2016 presidential preference election has  
19 reduced my confidence in Maricopa County and Arizona's election system, and I am  
20 worried that I will be burdened by the same elections mismanagement, including in  
21 particular inadequate allocation of polling locations, in the upcoming 2016 general  
22 election and beyond. I fear that if they occur again, even with the accommodations my  
23 school has been willing to make, I may not be able to vote.

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26           I declare under penalty of perjury that the foregoing is true and correct.

27       DATED: April 29, 2016  
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By: Luz Magallanes  
Luz ("Lucy") Magallanes

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s/ Daniel R. Graziano